REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-10, 13-21, 23-29, and 31-48 are pending, of which claims 1, 7, 32, and 38 have been amended. Support for the amendments can be found at least at page 5 line 23 to page 8 line 24 and at Figs. 1-3 of the specification. Applicant also notes that the Office Action Summary indicates that claims 32-37 are rejected. However, the Office Action provides no indication of a statutory basis for rejecting these claims. Further, there is no discussion of claims 32-37 in the Action, and no indication of what art is cited against these claims.

35 U.S.C. §102 Claim Rejections

A.   Claims 1, 3, 7, and 8 are rejected under 35 U.S.C. §102(b) as being anticipated by Japanese Patent No. JP04013288A to Aoyama (hereinafter "Aoyama") (*Office Action* p.2).

B.   Claims 9, 10, 13 and 14 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2002/0193895 to Qian et al. (hereinafter "Qian") (*Office Action* p.4).

C.   Claims 38, 39, and 41 are rejected under rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,194,682 to Okamura et al. (hereinafter "Okamura") (*Office Action* p.6).

__Claim 1__ recites a method comprising:

receiving a request to play an audio file;

identifying a preferred language and a preferred sublanguage for displaying a lyric set associated with the audio file;

searching a list of lyric sets associated with the audio file to determine whether the lyric set is available in the preferred language and the preferred sublanguage;

identifying an alternate lyric set to be displayed based on a hierarchical list of language priorities provided by a lyric synchronization module when the searching indicates that the lyric set is unavailable in the preferred sublanguage; and

playing the audio file and displaying the alternate lyric set.

Aoyama does not show or disclose each and every element recited in claim 1, such as, "identifying an alternate lyric set to be displayed based on a hierarchical list of language priorities provided by a lyric synchronization module when the searching indicates that the lyric set is unavailable in the preferred sublanguage" (Emphasis Added).

The Office cites to Aoyama as disclosing each an every element of claim 1 (*Office Action* pp. 2-3, and 18). Aoyama describes a Karaoke device in which the lyrics for a song may be available in more than one type of syllabary for display on a Karaoke display device. Aoyama describes that the lyrics to a song can be displayed in a cursive form of Japanese writing know as "HIRAGANA", or in a square form of Japanese writing known as "KATAKANA", or that alternatively the lyrics can be displayed in English (*Aoyama* Abstract and Fig. 1). Aoyama further describes that a Karaoke singer may use a switch (*i.e.,* switch 10a of Aoyama) to specify a letter type for displaying the lyrics. Aoyama describes that after a song is selected, the Karaoke singer selects the letter type (*e.g.,*

HIRAGNA) for displaying the lyrics. As such, Aoyama describes a manual selection of an available letter type in which the lyrics are to be displayed.

Aoyama does not show or disclose "identifying the alternate lyric set to be displayed based on a hierarchical list of language priorities provided by a lyric synchronization module when the searching indicates that the lyric set is unavailable in the preferred language and the preferred sublanguage", as recited in claim 1 (Emphasis Added). Instead in Aoyama, a Karaoke singer simply uses a switch (i.e., switch 10a of Aoyama) to manually specify a letter type (e.g., HIRAGNA) for displaying the lyrics.

Accordingly, claim 1 is allowable over Aoyama for at least these reasons and Applicant requests that the §102 rejection be withdrawn.

Claims 3, 7, and 8 are allowable by virtue of their dependency upon claim 1. Additionally, some or all of claims 3, 7, and 8 may be allowable over Aoyama for independent reasons.

For example, claim 7 recites a method as recited in claim 1 "wherein the preferred sublanguage identifies a regional dialect of the preferred language." Aoyama does not show or disclose the elements recited in claim 7. More specifically, Aoyama says nothing about a preferred sublanguage which identifies a regional dialect of a preferred language. With respect to this limitation, the Office appears to argue that the different syllabary of Aoyama (e.g. the cursive form of Japanese writing (HIRAGANA) and the square form of Japanese writing known as (KATAKANA)) are "regional dialects" of a preferred language (e.g., Japanese). As described in detail herein, the Applicant disagrees that different

syllabary for a language is the same as different regional dialects. By way of analogy, this office action response would not be in a different "regional dialect" if it were printed is using a "cursive" or "long-hand" font rather than using the "Times New Roman" font presented herein.

The Office is also reminded of the plain meaning of the term "dialect". A dialect is "a regional variety of language distinguished by features of vocabulary, grammar, and pronunciation from other regional varieties and constituting together with them a single language" (*Merriam-Webster OnLine Dictionary*, http://www.m-w.com). Further, the specification describes that "[l]anguages are typically classified according to their "language" and "sublanguage", where "language" is the basic language (such as "English", "French", or "German") and "sublanguage" is a country/region dialect subcategory. For example, sublanguages of "English" are "UK" and "US" … If no sublanguage is specified, the language is considered generic, such as generic English or generic German" (*Specification* p. 15 lns.11-17). In short, the term "dialect" refers to regional variations of vocabulary, grammar, and pronunciation which are reflected in the lyrics, and does not simply refer to using a different font (or syllabary) for writing the lyrics.

Claim 9 recites a method comprising:

> receiving a request to play an audio file;
> identifying a plurality of lyric segments associated with the audio file, wherein each lyric segment has an associated time code, and wherein each time code identifies a time during playback of the audio file that a corresponding lyric segment is displayed;
> playing the audio file and displaying a first lyric segment;
> receiving a request to jump to a different part of the audio file;
> playing the different part of the audio file; and
> displaying the first lyric segment until a time during playback of the audio file matches a time code in the different part of the audio file, and then displaying a different lyric segment associated with the time code in the different part of the audio file.

Qian does not show or disclose each and every element recited in claim 9. For example, Qian does not show or disclose "displaying the first lyric segment until a time during playback of the audio file matches a time code in the different part of the audio file, and then displaying a different lyric segment associated with the time code in the different part of the audio file" as recited in claim 9.

With regard to this limitation, the Office cites to Quian and states that "Quian et al. discloses synchronizing lyrics with an audio file" (*Office Action* p.5; *Quian* Paragraph [0007]). The Office also cited to Quian as describing jumping to a different portion of an audio file (*Office Action* p.19; *Quian* Paragraph [0051]). Although Quian may generally describe jumping to a specific position of an audio file, Quian does not show or disclose handling a jump request as recited in the method of claim 9. More specifically, Quian does not show or disclose receiving a request to jump to a different part of the audio file, playing the different part of the audio file, and then continuing "displaying the first lyric segment until a time during playback of the audio file matches a time code in the different part of the

audio file, and then displaying a different lyric segment associated with the time code in the different part of the audio file", as recited in claim 9.

Accordingly, claim 9 is allowable over Qian for at least these reasons and Applicant requests that the §102 rejection be withdrawn.

Claims 10-14 are allowable by virtue of their dependency upon claim 9. Additionally, some or all of claims 10-14 may be allowable over Qian for independent reasons.

Claim 38 recites an apparatus comprising:

> a language selection module to search a list of lyric sets associated with the audio file to determine whether a lyric set is available in a preferred language, and to identify an alternate lyric set to be displayed based a hierarchical list of language priorities when the search by the language selection module indicates that the lyric set is unavailable in the preferred language

Okamura does not show or disclose each and every element recited in claim 38. For example, Okamura does not show or disclose "a language selection module to search a list of lyric sets associated with the audio file determine whether a lyric set is available in a preferred language, and to identify an alternate lyric set to be displayed based a hierarchical list of language priorities when the search by the language selection module indicates that the lyric set is unavailable in the preferred language", as recited in claim 38.

The Office cites to Okamura which describes a musical accompaniment playing apparatus which displays lyrics for a Karaoke singer, and then mixes voice

information (from the singer's voice) with musical accompaniment information (*Office Action* pp. 6-7, and 20; Okamura Abstract and col.14 lns.63-70, and col.14-15). The Office also cites to Okamura as disclosing an "operation unit with which the user may select a language from a plurality of languages" (*Office Action* p.20; *Okamura* col.14 lns.63 to col.15 line 15). Okamura describes that one lyric set (corresponding to one language) is ordinarily displayed, but if additional lyric sets are available, the Karaoke singer can select another lyric set using the operation unit 15 (*Okamura* col.14 lns.63-70 and Fig. 2B).

In any case, Okamura says nothing about "a language selection module to search a list of lyric sets associated with the audio file to determine whether a lyric set is available in a preferred language", as recited in claim 38. Further, Okamura says nothing about a language selection module "to identify an alternate lyric set to be displayed based a hierarchical list of language priorities when the search by the language selection module indicates that the lyric set is unavailable in the preferred language", as recited in claim 38. Instead, in Okamura, an alternate lyric set is simply manually selected by the Karaoke singer using the operation unit (*Okamura* col.14 lns.63-70 and Fig. 2B).

Accordingly, claim 38 is allowable over Okamura for at least these reasons and Applicant respectfully requests that the §102 rejection be withdrawn.

Claims 39 and 41 are allowable by virtue of their dependency upon claim 38. Additionally, one or both of claims 39 and 41 may be allowable over Okamura for independent reasons.

35 U.S.C. §103 Claim Rejections

A. Claim 2 is rejected under 35 U.S.C. §103(a) for obviousness over Aoyama in view of U.S. Patent Publication No. 2002/0173968 to Parry (hereinafter "Parry") (*Office Action* p.8).

B. Claims 4-6 are rejected under 35 U.S.C. §103(a) for obviousness over Aoyama in view of Tashiro (*Office Action* p.9).

C. Claims 15-17, 19, 21, 23-28, and 31 are rejected under 35 U.S.C. §103(a) for obviousness over U.S. Patent No. 5,649,234 to Klappert et al. (hereinafter "Klappert") in view of Aoyama (*Office Action* p.10).

D. Claim 18 is rejected under 35 U.S.C. §103(a) for obviousness over Klappert in view of Aoyama (*Office Action* p.13).

E. Claim 20 is rejected under 35 U.S.C. §103(a) for obviousness over Klappert in view of Aoyama, and further in view of U.S. Patent Publication No. 2002/0100965 to Sitrick et al. (hereinafter "Sitrick") (*Office Action* p.13).

F. Claim 29 is rejected under 35 U.S.C. §103(a) for obviousness over Klappert in view of Qian (*Office Action* p.14).

G. Claim 40 is rejected under 35 U.S.C. §103(a) for obviousness over Okamura in view of Parry (*Office Action* p.15).

H. Claim 42 is rejected under 35 U.S.C. §103(a) for obviousness over Okamura in view of Tashiro (*Office Action* p.15 and 19).

I. Claims 43-46 and 48 are rejected under 35 U.S.C. §103(a) for obviousness over Qian in view of Aoyama (*Office Action* p.16).

J. Claim 47 is rejected under 35 U.S.C. §103(a) for obviousness over Qian in view of Okamura (*Office Action* p.17).

Claims 2 and 4-6 are rejected under 35 U.S.C. §103(a) for obviousness. Each of the claims 2 and 4-6 rejected under §103 are dependent claims that ultimately depend from claim 1. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable, and therefore the dependent claims 2 and 4-6 rejected under §103 should be allowable for at least the reasons discussed above in response to the §102 rejection of the independent claim 1, as well as for their own recited features which are neither shown nor supported by the cited art.

Further, Parry and/or Tashiro do not cure the deficiencies of Aoyama described above with respect to the 35 U.S.C. §102 rejections of the independent claim 1. Additionally, independent claim 1 has not been rejected under 35 U.S.C. §103 for obviousness, and are therefore is nonobvious under 35 U.S.C. §103. As stated in section 2143.03 of the MPEP, "[i]f an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious."

In accordance with the above referenced tenet and preceding discussion, all of the claims that depend ultimately from claim 1 are also nonobvious. Specifically, claims 2 and 4-6 which depend from claim 1 and are nonobvious for the reasons stated above. Accordingly, the §103 rejections should be withdrawn, and Applicant requests that each of these dependent claims be allowed in the next Action.

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Claim 15 recites a method comprising:

> selecting an audio file to edit;
> identifying lyric segments associated with the audio file;
> associating a language and a sublanguage with the lyric segments, the sublanguage identifying a country/region dialect of the language;
> assigning a time code to each lyric segment, wherein each time code identifies a temporal location within the audio file; and
> saving the time codes and the corresponding lyric segments

Klappert and/or Aoyama do not teach or suggest the combination of features recited in claim 15. For example, the Klappert-Aoyama combination do not teach or suggest "associating a language and a sublanguage with the lyric segments, the sublanguage identifying <u>a country/region dialect</u> of the language", as recited in claim 15 (Emphasis Added).

The Office acknowledges that Klappert does not disclose associating a language and a sublanguage with the lyric segments, where the sublanguage identifies a country/region dialect of the language, and relies on Aoyama to cure the deficiencies of Klappert (*Office Action* p. 11).

However, as described in response to the rejection of claim 7, Aoyama says nothing about a preferred sublanguage which identifies a regional dialect of a preferred language. As described herein, with respect to this limitation, the Office appears to argue that the different syllabary of Aoyama (*e.g.* the cursive form of Japanese writing (HIRAGANA) and the square form of Japanese writing known as (KATAKANA)) are "regional dialects" of a preferred language (*e.g.,* Japanese). Once again, the Applicant disagrees that different syllabary for a language is the same as different regional dialects.

Accordingly, claim 15 is allowable over the Klappert-Aoyama combination for at least these reasons and Applicant requests that the §103 rejection be withdrawn.

Claims 16- 23 are allowable over the Klappert-Aoyama combination by virtue of their dependency upon claim 15. Additionally, some or all of claims 16-23 may be allowable over the Klappert-Aoyama combination for independent reasons.

Claim 24 recites a method comprising:

> selecting an audio file to edit;
> identifying static lyrics associated with the audio file;
> associating a language and a sublanguage with the static lyrics, the sublanguage identifying a country/region dialect of the language;
> separating the static lyrics into a plurality of lyric segments;
> assigning a time code to each of the plurality of lyric segments, wherein each time code identifies a temporal location within the audio file; and
> saving the time codes and the corresponding lyric segments.

Klappert and/or Aoyama do not teach or suggest the combination of features recited in claim 24. For example, the Klappert-Aoyama combination do not teach or suggest "associating a language and a sublanguage with the lyric segments, the sublanguage identifying <u>a country/region dialect</u> of the language", as recited in claim 24 (Emphasis Added).

The Office acknowledges that Klappert does not disclose associating a language and a sublanguage with the lyric segments, where the sublanguage identifies a country/region dialect of the language, and relies on Aoyama to cure

the deficiencies of Klappert (Office Action p. 11). However, as described in response to the rejection of claims 7 and 15, Aoyama says nothing about a preferred sublanguage which identifies a regional dialect of a preferred language.

Accordingly, claim 24 is allowable over the Klappert-Aoyama combination for at least these reasons and Applicant requests that the §103 rejection be withdrawn.

Claims 25-28 and 31 are allowable over the Klappert-Aoyama combination by virtue of their dependency upon claim 24. Additionally, some or all of claims 25-28 and 31 may be allowable over Klappert-Aoyama for independent reasons.

Claim 29 is allowable over the Klappert-Aoyama combination by virtue of its dependency upon claim 24. Claim 29 is as allowable over the Klappert-Qian combination because Qian does not address the deficiencies of the Klappert-Aoyama combination which are described above in response to the rejection of claim 24.

Claims 40 and 42 are rejected under 35 U.S.C. §103(a) for obviousness. Each of the claims 40 and 42 rejected under §103 are dependent claims that ultimately depend from claims 38. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable, and therefore the dependent claims rejected under §103 should be allowable for at least the reasons discussed above in response to the §102 rejection of the independent claim 38, as

well as for their own recited features which are neither shown nor supported by the cited art. Further, Parry and/or Tashiro do not cure the deficiencies of Okamura which are described herein with respect to the 35 U.S.C. §102 rejections of the independent claim 38. Additionally, independent claim 38 has not been rejected under 35 U.S.C. §103 for obviousness, and are therefore is nonobvious under 35 U.S.C. §103. As stated in section 2143.03 of the MPEP, "[i]f an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious."

In accordance with the above referenced tenet and preceding discussion, all of the claims that depend ultimately from claim 38 are also nonobvious. Specifically, claims 40 and 42 which depend from claim 38 are nonobvious for the reasons stated above. Accordingly, the §103 rejections should be withdrawn, and Applicant requests that each of these dependent claims be allowed in the next Action.

Claim 43 recites an apparatus comprising:

> means for identifying an audio file to play;
> means for identifying a plurality of lyric segments associated with the audio file, wherein each lyric segment has an associated time code, and wherein the time codes identify periods of time during playback of the audio file;
> means for identifying a preferred language and a preferred sublanguage for displaying lyrics, wherein the preferred sublanguage identifies a country/region dialect of the preferred language; and
> means for playing the audio file and displaying a lyric segment that corresponds to the current time code.

Qian and/or Aoyama do not teach or suggest the combination of features recited in claim 43. For example, the Qian-Aoyama combination do not teach or suggest "means for identifying a preferred language and a preferred sublanguage for displaying lyrics, wherein the preferred sublanguage identifies a country/region dialect of the preferred language", as recited in claim 43 (Emphasis Added).

The Office acknowledges that Qian does not disclose associating a language and a sublanguage with the lyric segments, where the sublanguage identifies a country/region dialect of the language, and relies on Aoyama to cure the deficiencies of Qian (*Office Action* p. 16). However, as described in response to the rejection of claims 7 and 15, Aoyama says nothing about a preferred sublanguage which identifies a regional dialect of a preferred language.

Accordingly, claim 43 is allowable over the Qian-Aoyama combination for at least these reasons and Applicant requests that the §103 rejection be withdrawn.

Claims 44 and 45 are allowable over the Qian-Aoyama combination by virtue of their dependency upon claim 43. Additionally, one or both of claims 44 and 45 may be allowable over the Qian-Aoyama combination for independent reasons.

Claim 46 recites one or more computer-readable media having stored thereon a computer program that, when executed by one or more processors, causes the one or more processors to:

> receive a request to play an audio file;
> identify a preferred language and a preferred sublanguage that identifies a country/region dialect of the preferred language in which to display lyrics associated with the audio file;
> identify a plurality of lyric segments associated with the audio file, wherein each lyric segment is associated with the preferred sublanguage and each lyric segment has an associated time code, and wherein each time code identifies a time during playback of the audio file that a corresponding lyric segment is displayed; and
> play the audio file and display the appropriate lyric segments as the audio file is played.

Qian and/or Aoyama do not teach or suggest the combination of features recited in claim 46. For example, the Qian-Aoyama combination do not teach or suggest one or more computer-readable media having stored thereon a computer program that, when executed by one or more processors, causes the one or more processors to "identify a preferred language and a preferred sublanguage that identifies a country/region dialect of the preferred language in which to display lyrics associated with the audio file", as recited in claim 46 (Emphasis Added).

The Office acknowledges that Qian does not disclose associating a sublanguage that identifies a country/region dialect of the preferred language, and relies on Aoyama to cure the deficiencies of Qian (*Office Action* p. 17). However, as described in response to the rejection of claims 7 and 15, Aoyama says nothing about a preferred sublanguage which identifies a regional dialect of a preferred language.

Accordingly, claim 46 is allowable over the Qian-Aoyama combination for at least these reasons and Applicant requests that the §102 rejection be withdrawn.

Claims 47 is allowable over the Qian-Aoyama combination by virtue of its dependency upon claim 46. Claim 47 is as allowable over the Qian-Okamura combination because Okamura does not address the deficiencies of the Qian-Aoyama combination which are described above in response to the rejection of claim 46.

Claim 48 is allowable over the Qian-Aoyama combination by virtue of its dependency upon claim 46. Additionally, claim 48 may be allowable over Qian-Aoyama combination for independent reasons.

Claims Rejected with no Statutory Basis Indicated

A. The Office Action Summary indicates that Claims 32-37 are rejected. However, the Office Action provides no indication of a statutory basis for rejecting these claims, there is no discussion of these claims, and not art is cited against these claims. Claims 32-37 are not mentioned by number in the Office Action. As such the Applicant has no way of knowing the basis for the rejection of these claims.

MPEP 707.07 indicates that the Examiner's action will be complete as to all matters, and MPEP 707.07(i) indicates that each pending claim should be mentioned by number in, and its treatment or status given.

Applicant understands that claims can inadvertently be omitted from the Office's response. However, the Applicant would appreciate it if the Office would reconsider claims 32-37 and provide an indication of whether these claims are allowable, and if the claims are not allowable explain the basis for rejecting these claims.

Claim 32 recites a method comprising:

> receiving a request to play an audio file;
> identifying a preferred language for displaying lyrics;
> identifying an alternate language for displaying the lyrics based on a hierarchical list of language priorities when the lyric set is unavailable in the preferred language which was identified;
> playing the audio file and displaying associated lyric data in the preferred language if lyric data is available in the preferred language; and
> playing the audio file and displaying associated lyric data in the alternate language if lyric data is not available in the preferred language.

As described herein, the combination of references cited by the office do not describe "identifying an alternate language for displaying the lyrics based on a hierarchical list of language priorities when the lyric set is unavailable in the preferred language which was identified", as recited in claim 32.

Accordingly, claim 32 is allowable over the cited references for at least these reasons and Applicant requests that claim 32 be allowed.

Claims 33-37 are allowable by virtue of their dependency upon allowable claim 32. Additionally, some or all of claims 33-37 may be allowable over for independent reasons.

Conclusion

Pending claims 1-10, 13-21, 23-29, and 31-48 are in condition for allowance and Applicant requests reconsideration and issuance of the subject application. If any issues remain that preclude issuance of this application, the Examiner is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

Dated: _9-20-2006_   By: _Christen M. Fairborn_

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